

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

William Singletary,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No.: 9:09-1079-TLW-BM
)	
)	
)	
Edgefield Police Department)	
Edgefield County Sheriff's Department)	
Major Ken Durham, and)	
Town of Edgefield)	
)	
Defendants.)	
_____)	

ORDER

Plaintiff William Singletary brought this civil action, *pro se*, which was removed to Federal Court on April 22, 2009. (Doc. # 1).

This matter now comes before this Court for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Bristow Marchant to whom this case had previously been assigned. (Doc. # 24). In the Report, the Magistrate Judge recommends that the District Court grant Plaintiff twenty (20) days from the date of any Order of the Court adopting the Report and Recommendation to file an Amended Complaint with the Court that is in compliance with Rule 8 of the Federal Rules of Civil Procedure. (Doc. # 24). The plaintiff filed no objections to the report. Objections were due on October 9, 2009.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. §

636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. # 24).

This Court takes notice of the fact that on October 13, 2009, the plaintiff filed a Reply to the Report and Recommendation with a caption that reads, "Amended Complaint." (Doc. # 26). A Motion to Strike the plaintiff's Reply was filed on October 23, 2009 and on October 26, 2009 by the defendants. (Docs. # 29 and 30). On November 16, 2009, the plaintiff filed a Response in Opposition to the Motion to Strike. (Doc. # 35). In his Response, the plaintiff makes clear that he filed an Amended Complaint because he believed he was required to do so under the Report and Recommendation. The Report and Recommendation, however, did not require any filing until twenty days from the date any order is issued by this Court. Therefore, the plaintiff shall have twenty (20) days from the date that this order is filed to file an Amended Complaint that complies with Rule 8.

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

December 16, 2009
Florence, South Carolina